

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ABKCO MUSIC, INC., COLGEMS-EMI MUSIC,  
INC., EMI ALGEE MUSIC CORP., EMI APRIL  
MUSIC INC., EMI BLACKWOOD MUSIC, INC.,  
EMI CONSORTIUM MUSIC PUBLISHING, INC.  
d/b/a EMI FULL KEEL MUSIC, EMI  
CONSORTIUM SONGS, INC. d/b/a EMI  
LONGITUDE MUSIC, EMI FEIST CATALOG  
INC., EMI ROBBINS CATALOG INC., EMI  
UNART CATALOG, INC., JOBETE MUSIC CO.,  
INC., SCREEN-GEMS-EMI MUSIC INC., STONE  
AGATE MUSIC, STONE DIAMOND MUSIC  
CORP., RODGERS & HAMMERSTEIN  
HOLDINGS LLC, PEER INTERNATIONAL  
CORPORATION, PSO LIMITED, PEERMUSIC  
LTD., PEERMUSIC III, LTD., SONGS OF PEER,  
LTD., SPIRIT CATALOG HOLDINGS S.A.R.L.,  
TOWSER TUNES, INC., TOWSER NEWCO  
LTD., SPIRIT TWO MUSIC, INC., WARNER-  
TAMERLANE PUBLISHING CORP., and WB  
MUSIC CORP.,

Plaintiffs/Counterclaim-  
Defendants,

v.

WILLIAM SAGAN, NORTON LLC, BILL  
GRAHAM ARCHIVES, LLC d/b/a  
WOLFGANG'S VAULT, BILL GRAHAM  
ARCHIVES, LLC d/b/a CONCERT VAULT, BILL  
GRAHAM ARCHIVES, LLC d/b/a MUSIC  
VAULT and BILL GRAHAM ARCHIVES, LLC  
d/b/a DAYTROTTER.

Defendants/Counterclaim-  
Plaintiffs.

X

Case No. 15 Civ. 04025 (ER) (HBP)

Hon. Edgardo Ramos

**DEFENDANTS' NOTICE OF MOTION  
FOR RECONSIDERATION**

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X

**PLEASE TAKE NOTICE THAT**, upon this Notice of Motion, and the concurrently filed documents, including the Memorandum of Law, the supporting declarations of William Sagan and Erin Ranahan and the exhibits attached thereto, and upon other records on file in this matter and all of the papers and proceedings heretofore had herein, and upon any further material and argument presented to the Court at the time of any hearing or oral argument, Defendants Bill Graham Archives, LLC d/b/a/ Wolfgang's Vault, Norton, LLC (the "WV Defendants") and William Sagan (collectively, "Defendants") will move this Court, before the Hon. Edgardo Ramos, at the United States Courthouse, 40 Foley Square, New York, New York, for an Order granting reconsideration of partial summary judgment in favor of Defendants and against Plaintiffs ABKCO Music, Inc., Colgems-EMI Music Inc., EMI Algee Music Corp., EMI April Music Inc., EMI Blackwood Music Inc., EMI Consortium Music Publishing, Inc. d/b/a EMI Full Keel Music, EMI Consortium Songs, Inc. d/b/a EMI Longitude Music, EMI Feist Catalog Inc., EMI Robbins Catalog Inc., EMI Unart Catalog Inc., Jobete Music Co., Inc., Screen-Gems- EMI Music Inc., Stone Agate Music, Stone Diamond Music Corp., Iagem Music LLC, Peer International Corporation, PSO Limited, Peermusic Ltd., Peermusic III, Ltd., Songs Of Peer, Ltd., Spirit Catalog Holdings S.A.R.L., Towser Tunees, Inc., Towser Newco Ltd., Spirit Two Music, Inc., Warner-Tamerlane Publishing Corp. and WB Music Corp. (collectively "Plaintiffs"). Defendants bring this Motion respectfully requesting that the Court reconsider the Order, to correct legal and factual errors and to prevent manifest injustice.

In accordance with Local Rule L.R. 6.1(b), Plaintiffs' response must be filed within fourteen days after service of the moving papers, and Defendants' reply must be served within seven days after service of the answering papers.

Dated: April 9, 2018

WINSTON & STRAWN LLP

By: *s/ Michael S. Elkin*  
WINSTON & STRAWN LLP

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LLC d/b/a Daytrotter*